

Attorney Docket Number: FSP0445
Application Number: 10/706,421

-7-

REMARKS

The Applicant thanks the Examiner for examining this application. This is a response to the Advisory Action mailed on March 8, 2010. By way of this response, claims 14-16 and 18 are cancelled. New claims 28-29 are added. Support for the claim amendments and newly claimed material can be found, for example, in the Summary and (for example) at pages 7-10. See also Figures 1 and 2 of the Drawings, which illustrate the claimed features.

35 U.S.C. 101

In an Office Action mailed on 12/2/2009, claims 13-18 are rejected under 35 U.S.C. 101 because claim 13 would allegedly be interpreted by one of ordinary skill as a system of software per se (software means only and not embedded in a computer readable storage medium), failing to fall within a statutory category of invention.

35 U.S.C. 112

Claims 1-18 and 26-27 are rejected under 35 U.S.C. 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claim amendments render the prior rejection under 35 U.S.C. 112 moot because they remove the objected to subject matter from the claims.

Attorney Docket Number: FSP0445
Application Number: 10/706,421

-8-

Conclusion

In view of the above amendments and remarks, applicant believes that this application is now in condition for allowance. Applicant respectfully requests that a Notice of Allowability be issued covering the pending claims. If the Examiner believes that a telephone interview would in any way advance prosecution of the present application, please contact the undersigned.

Signature /Charles A. Mirho/
 Charles A. Mirho
 Reg. 41,199
 Attorney for Applicant

Date: 03/08/2010

Address all correspondence to:

FSP LLC

Attn: Charles A Mirho

P.O. Box 890

Vancouver, WA 98666-0890

USA Phone: 360-737-1748

Fax: 360-294-6426